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1297.43308X00

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: YOSHIMIZU et al
Serial No.: 10/722,462
Filed: November 28, 2003
For: Portable Tool Having Cover And Label To Be Stuck
On The Portable Tool For Identification
Art Unit: 3721
Examiner: M. Lopez

RESPONSE

Mail Stop: Response (No Fee)
Commissioner For Patents
P.O. Box 1450
Alexandria, VA 22313-1450

July 26, 2005

Sir:

The following remarks are respectfully submitted in response to the Office Action dated June 27, 2005.

In light of the restriction requirement to one of the inventions identified by the Examiner as Invention I - claims 1 - 24, drawn to a cover for use in combination with a label and a portable tool, classified in class 173, subclass 171; Invention II - claims 25 - 30, drawn to a method of printing a label for a portable tool, classified in class 101; and Invention III - claims 31 - 35, drawn to a server, classified in class 709; applicants elect, Invention I - claims 1 - 24, for further prosecution in this application at this time.

As to the Examiner's further requirement to elect a single disclosed species of the alleged patentably distinct species of the claimed invention, identified by the Examiner as Species I - the embodiment shown in Fig. 3; Species 2 - the

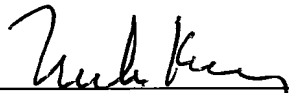
embodiment shown in Fig. 8; and Species 3 - the embodiment shown in Fig. 12; applicants elect, Species I - the embodiment shown in Fig. 3, and submit that claims 1 - 24 are readable thereon.

In view of the above response, favorable action with respect to claims 1 - 24 is requested.

To the extent necessary, applicants petition for an extension of time under 37 CFR 1.136. Please charge any shortage in the fees due in connection with the filing of this paper, including extension of time fees, to the deposit account of Antonelli, Terry, Stout & Kraus, LLP, Deposit Account No. 01-2135 (Case: 1297.43308X00), and please credit any excess fees to such deposit account.

Respectfully submitted,

ANTONELLI, TERRY, STOUT & KRAUS, LLP

A handwritten signature in dark ink, appearing to read 'Melvin Kraus', is written over a horizontal line.

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